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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,437	07/21/2003	William Louis Scherff	714595.114	1436
27128	7590 09/22/2004		EXAMINER	
BLACKWELL SANDERS PEPER MARTIN LLP			THISSELL, JENNIFER I	
720 OLIVE STREET SUITE 2400			ART UNIT	PAPER NUMBER
ST. LOUIS, MO 63101			3635	
			DATE MAILED: 09/22/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. **Commons of time may be available under the provisions of 3° CPR 1.75(b). In no event, however, may a reply be timely filed **Extension of time may be available under the provisions of 3° CPR 1.75(b). In no event, however, may a reply be timely filed **Extension of time and be sent or expended above is lies when thirty (30) days, a reply value in the stateory maintain or they is appendiate on the mailing and and the filed of the provision of the communication, even if timely filed, may reduce any event particular them adjustment. See 37 CPR 1.704(b). **Status** 1)		Application No.	Applicant(s)			
Jennifer I Thissell 3635		10/604,437				
The MALLING DATE of this communication appears on the cover sheet with the correspondence address period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MALLING DATE OF THIS COMMUNICATION. Estension of the map be available under the provisions of 3 CFR1 13(tip). In no event, however, may a reply be limited yill and the provision of the provision of 3 CFR1 13(tip). In no event, however, may a reply be limited yill and the provision of the above claim(s) is a polication in serious or provision of the above claim(s) is a polication of the provision of the pr	Office Action Summary	Examiner	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. □ Extension of time may be waitable under the provisions of 37 CFR 1.38(e), in no event, however, may a reply be timely filed □ His period transplay the available under the provisions of 37 CFR 1.38(e), in no event, however, may a reply be timely filed □ His period transplay be available under the provisions of 37 CFR 1.38(e), in no event, however, may a reply be timely filed □ His period transplay as a period above, the maintain statutory peed will apply and the statutory international transplay of the statutory and the statutory international transplay of the statutory of the s		Jennifer I Thissell	3635			
THE MAILING DATE OF THIS COMMUNICATION. Extensions of aim may be available under the provision of 3°CPR 115(s). In no event, however, may a reply be timely filed after 50 K (9) MONTHS from the mailing date of this communication. 13°CPR 115(s) in no event, however, may a reply be timely filed after 50 K (9) MONTHS from the mailing date of this communication. 15°CPR 115(s) and 15°CPR 115(s) and 15°CPR 115(s) and 15°CPR 115(s) and 15°CPR 115(s). 15°CPR 115(s) and 15°CPR 115(s) and 15°CPR 115(s) and 15°CPR 115(s). 15°CPR 115(s) and 15°CPR 115(s) and 15°CPR 115(s) and 15°CPR 115(s). 15°CPR 115(s) and 15°CPR 115(s). 15°CPR 115(s) and 15°CPR 115(s).	The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the o	correspondence address			
1)⊠ Responsive to communication(s) filed on 21 Juliy 2003. 2a	 THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period w Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing 	36(a). In no event, however, may a reply be ting within the statutory minimum of thirty (30) day will apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	mely filed ys will be considered timely. The mailing date of this communication. ED (35 U.S.C. § 133).			
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-10.13-17 and 19 is/are rejected. 7) Claim(s) 1-10.13-17 and 19 is/are rejected. 7) Claim(s) 1-112.18.20 is/are objected to 8) Claim(s) 11.12.18.20 is/are objected to 8) Claim(s) 11.12.18.20 is/are objected to 9) be better and in requirement. Application Papers 9) The specification is objected to by the Examiner. Application Papers 9) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received.	Status					
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Application/Control Number: 10/604,437

Art Unit: 3635

DETAILED ACTION

Claim Objections

Claims 1-12 and 17-20 are objected to as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 6, 12, and 17, the language between the preamble and certain portions of the body of the claim is inconsistent. For example, the preamble of claim 1 sets forth the subcombination "one-piece mechanism", with the molding piece as part of the functional language only. However, line 4 of the claim recites a proximal end of the body of the mechanism that is "attached to the molding piece", which sets forth a positive relationship between the mechanism and the molding portion, and thus appears to claim a combination. Also, in the preamble of claim 6, the mechanism is "associated with" a vehicle body molding, which is being viewed as a functional relationship. However, the claim then recites a body portion "attached" to a vehicle body molding. Applicant should note that the claims that have inconsistent language are being considered as having been drawn to the combination. However, the preamble must be modified in order to clarify the combination of the molding piece and mechanism.

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Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-10, 13-17, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Kraus ('809). Kraus teaches a one-piece mechanism comprising a body portion 2 with a distal end, a proximal end attached to a molding piece 3 or trim piece, the distal end has two bend points (near the bottom of 14), the body portion has a first opening extending longitudinally along substantially the full length of the body portion, and there is a second opening (behind 14) which extends transversely through the body portion, whereby the body portion and second opening define a plurality of resilient flexible detents 14 or barbs spaced from the proximal end of the body portion. The body portion is integrally attached to the molding piece, the body portion is sufficiently flexible and resilient, the two bend points and detents are spaced in a parallel relationship to one another, the detents and bend points are in substantial alignment with one another on at least two sides of the mechanism, and the second opening includes opposed sidewalls 4 which are tapered along at least a portion of the length of the opening.

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Allowable Subject Matter

Claims 11, 18, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, as well as to overcome the objections as stated above.

Claim 12 is objected to, but would be allowable if rewritten or amended to overcome the objection, as set forth in this Office action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer I Thissell whose telephone number is (703) 306-5750. The examiner can normally be reached on Mondays and Tuesdays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Friedman can be reached on (703) 308-0839. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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